

Memorandum

To: FCC, Office of the Secretary
From: Deborah Sovereign, Consultant
Date: May 2, 2018
Re: Request for Waiver and Appeal, CC Docket No. 02-6

On behalf of Desoto Independent School District (DeSoto ISD), BEN 140494, I am respectfully requesting a waiver of section 54.504(a) of the Commission's rules.¹

DeSoto ISD filed its FCC Form 471 # 171029991 on May 8, 2017. The Form 471 included FRN 1799064868 that requested service for twelve (12) months from AT&T. The Form 471 also included FRN 1799065237 which requested service for one (1) month for its new service provider, Conterra.² During PIA review, the applicant agreed to only request 11 months of service with AT&T with the anticipation that Conterra would be able to install service by June 1. Conterra, however, will not be able to get the service installed by the anticipated June 1 cutover date. Instead, Conterra will begin service in funding year 2018.³

DeSoto is respectfully requesting a waiver to change the contract expiration date to agree with the actual expiration date of the wide area network services and to change the funding period on FRN 1799064868 from 11 months to 12 months to reflect the actual service provided. If this waiver is granted allowing the additional one month of service from AT&T, then DeSoto ISD will cancel its funding request for one month of service from Conterra on FRN 1799065237. The USF commitment for that month will simply switch from Conterra to AT&T.

Any of the Commission's rules may be waived if good cause is shown.⁴ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.⁵ In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.⁶

¹ The USAC appeal Case # 80053 was denied 3/19/2018 and the USAC Form 500 Case # 89825 was denied 4/25/2018. USAC does not have authority to grant a waiver. DeSoto also filed the appeal with USAC a few days late because it did not know when the FCDL was issued that the implementation date would not be correct. See Exhibit 1.

² Exhibit 2. Form 471 # 171029991 FRNs 1799064868 and 1799065237

³ Exhibit 3. Email correspondence

⁴ 47 C.F.R. § 1.3.

⁵ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

⁶ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

We note that the Bureau has granted numerous waiver requests of this type, allowing applicants to correct their applications,⁷ and we respectfully request that the Bureau grant this waiver request as well. Here, this change was of the type that USAC could have corrected, pursuant to Commission order, had the applicant known that it needed to be made before the funding commitment decision letter was issued.⁸ Unfortunately, however, the applicant did not have the information necessary to provide USAC with the corrected information until after the FCDL was issued. As such, USAC no longer has the authority to make the correction; hence DeSoto ISD is now filing this waiver request.

Filed by:

Deborah J. Sovereign, Consultant
Kellogg & Sovereign Consulting, LLC
dsovereign@kelloggllc.com
580-332-1444 ext 8302

Exhibit 1

- Funding Letter notification
- USAC Appeal Case # 80053 denial 3/19/2018
- USAC Form 500 Case # 89825 denial 4/25/2018

Exhibit 2

- FRN 1799064868 (AT&T)
- FRN 1799065237 (Conterra)

Exhibit 3

- Email from AT&T regarding contract expiration date
- Email from Conterra confirming services will not commence in 2017-18

⁷ *Requests for Review of Decisions of the Universal Service Administrator by Archer Public Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15518 (Wireline Comp. Bur. 2008); *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319 (Wireline Comp. Bur. 2010); *Request for Waiver and Review of Decisions of the Universal Service Administrator by Erie I BOCES et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 13381 (Wireline Comp. Bur. 2013) (Erie I BOCES Order) (granting appeals and petitions for reconsideration from petitioners seeking a waiver of the Commission's E-rate rules in order to correct ministerial or clerical errors on petitioners' E-rate applications or associated forms); *See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, FCC 06-54, 21 FCC Rcd 5316, 5326-27 ¶¶ 22-23 (2006) (directing USAC to provide applicants with an opportunity to cure ministerial and clerical errors on the FCC Forms that they submit to USAC).

⁸ See USAC's website at <http://www.usac.org/sl/applicants/step01/clerical-errors.aspx>.

Exhibit 1A – Funding Letter notification dated 8/18/2017

E-Rate Productivity Center Thank you for your Funding Year 2017 Application for Universal Service Support and for any assistance you provided throughout our review.

This post contains your Funding Commitment Decision Letter for the FY 2017 FCC Form 471 Application Number 171029991 for DESOTO INDEP SCHOOL DISTRICT – BEN 140494. The attached .csv file contains information about the committed status of the funding requests, and the FCDL Supplement contains additional important information. The FCDL date is 8/18/2017.

Please open the .csv file below for complete details about the commitments made for each of the Funding Requests. This file can be opened in any spreadsheet program. To make the information easier to read, first select the entire spreadsheet and then expand all of the columns in the document (in Excel, double click on the divider between the column headings, A, B, etc).

We are also sending this information to your service providers so that preparations can begin for delivering services based on the appro [...More](#)



FY 2017 FCDL Supplement
PDF 210 KB



FCC Form 471 - 171029991 - DESOTO INDEP SCHOOL DISTRICT
CSV 6 KB

Aug 21, 2017 ☆ 🔒 [Comment](#) [More Info](#) ▼

Exhibit 1B - USAC Appeal Case # 80053 denial 3/19/2018

Request Number	80053
Billed Entity Number	140494
Billed Entity Name	DESOTO INDEP SCHOOL DISTRICT
Billed Entity FCC RN	0011979051
Applicant's Form Identifier	DESOTO INDEP SCHOOL DISTRICT
RFCDL Date	Mar 19, 2018
Approved Amount	\$0.00

FRN: 1799064868

Denied

Reason: Our records show that your appeal was filed more than 60 days after the date your decision letter was issued. Your appeal was filed on 10/26/17. The Funding Commitment Decision Letter was issued on 8/18/2017. Federal Communications Commission (FCC) rules require appeals to be filed within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

Exhibit 1C - USAC Form 500 Case # 89825 denial 4/25/2018:

Request Number 89825

Billed Entity Number 140494

Billed Entity Name DESOTO INDEP SCHOOL DISTRICT

Billed Entity FCC RN 0011979051

Applicant's Form Identifier DESOTO INDEP SCHOOL DISTRICT

RFCDL Date 4/25/2018

Approved Amount \$0.00

FRN: 1799064868

Denied

Reason: You requested a Contract Expiration Date change for FRN 1799064868 to 7/31/2018. Since the new Contract Expiration Date will increase the number of months of service and the funding commitment for this FRN, your request is not allowable and is therefore denied.

EXHIBIT 2

FCC FORM 471 # 171029991 (excerpt)

Pages included for FRNs 1799064868 and 1799065237



Description of Services Ordered and Certification Form 471

FCC Form 471

Application Information

Nickname	DESO 2017-C1	Application Number	171029991
Funding Year	2017	Category of Service	Category 1

Billed Entity

DESOTO INDEP SCHOOL DISTRICT
200 E BELT LINE RD DESOTO TX 75115 - 5704
972-274-8212
gabrielle.lemonier@desotoisd.org

Contact Information

Rachel Botts
580-332-1444
rbotts@kelloggllc.com

Billed Entity Number	140494
FCC Registration Number	0011979051
Applicant Type	School District

Holiday/Summer Contact Information	Debi Sovereign or Mandy Wood; info@kelloggllc.com (580) 332-1444
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Consulting Firms

Name	Consultant Registration Number	City	State	Zip Code	Phone Number	Email
Kellogg & Sovereign Consulting, LLC	16024809	Ada	OK	74820	580-332-1444	info@kelloggllc.com

Entity Information

School District Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	School District Attributes	Endowment
140494	DESOTO INDEP SCHOOL DISTRICT	Urban	057906			Public School District	None

Related Entity Information

Related Child School Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
85854	NORTHSIDE ELEMENTARY SCHOOL	Urban	057906	103		None	Public School	None

BEN	Name	Urban/ Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
85856	THE MEADOWS ELEMENTARY SCHOOL	Urban	057906	106		None	Public School	None
85857	DESOTO WEST MIDDLE SCHOOL	Urban	057906	042		None	Public School	None
85858	RUBY YOUNG ELEMENTARY SCHOOL	Urban	057906	102		None	Public School	None
85859	DESOTO EAST MIDDLE SCHOOL	Urban	057906	041		None	Public School	None
85860	COCKRELL HILL ELEMENTARY SCHOOL	Urban	057906	107		None	Public School	None
85863	DESOTO HIGH SCHOOL	Urban	057906	001		None	Public School	None
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY	Urban	057906	110		None	Pre-K; Public School	None
85997	FRANK D MOATES ELEMENTARY SCHOOL	Urban	057906	108		None	Pre-K; Public School	None
231510	WOODRIDGE ELEMENTARY SCHOOL	Urban	057906	109		None	Public School	None
16042750	MCCOWAN MIDDLE SCHOOL	Urban	057906	043		None	Public School	None
17006794	DESOTO WINGS	Urban	057906	003		None	Public School	None
16067257	DESOTO ALTERNATIVE EDUCATION CENTER	Urban	057906	008		None	Public School	None
17013020	Meadow Creek Tech Magnet Academy	Urban				None	Public School; New Construction School	None

Related Child School Entity - Discount Rate Calculation Details

BEN	Name	Urban/ Rural	Number of Students	Students Count Based on Estimate	CEP Percentage
85854	NORTHSIDE ELEMENTARY SCHOOL	Urban	461	N/A	
85856	THE MEADOWS ELEMENTARY SCHOOL	Urban	512	N/A	
85857	DESOTO WEST MIDDLE SCHOOL	Urban	717	N/A	
85858	RUBY YOUNG ELEMENTARY SCHOOL	Urban	614	N/A	
85859	DESOTO EAST MIDDLE SCHOOL	Urban	630	N/A	
85860	COCKRELL HILL ELEMENTARY SCHOOL	Urban	664	N/A	
85863	DESOTO HIGH SCHOOL	Urban	3214	N/A	
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY	Urban	389	N/A	
85997	FRANK D MOATES ELEMENTARY SCHOOL	Urban	759	N/A	
231510	WOODRIDGE ELEMENTARY SCHOOL	Urban	729	N/A	
16042750	MCCOWAN MIDDLE SCHOOL	Urban	945	N/A	
17006794	DESOTO WINGS	Urban	79	N/A	
16067257	DESOTO ALTERNATIVE EDUCATION CENTER	Urban	31	N/A	
17013020	Meadow Creek Tech Magnet Academy	Urban	500	N/A	

Related Child School Annexes

School BEN	School Name	Annex Name
85863	DESOTO HIGH SCHOOL	DeSoto High - Freshman Campus

Related School District NIFs

School District BEN	School District Name	NIF BEN	NIF Name
140494	DESOTO INDEP SCHOOL DISTRICT	85862	DESOTO BELT LINE INSTRUCTIONAL SUPPORT CENTER
140494	DESOTO INDEP SCHOOL DISTRICT	17006830	DESOTO EDUCATION CENTER
140494	DESOTO INDEP SCHOOL DISTRICT	17006831	DESOTO SERVICE CENTER at PARKERVILLE
140494	DESOTO INDEP SCHOOL DISTRICT	17006832	DESOTO SPECIAL SERVICES HAMPTON RD
140494	DESOTO INDEP SCHOOL DISTRICT	17006833	DESOTO DATA CENTER
140494	DESOTO INDEP SCHOOL DISTRICT	17013019	De Soto Athletics Department
140494	DESOTO INDEP SCHOOL DISTRICT	17013021	De Soto Multipurpose Building

Discount Rate

School District Enrollment	School District NSLP Count	School District NSLP Percentage	School District Urban/ Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
10244	7387	73.0%	Urban	80%	80%	20%

Funding Request for FRN #1799064868

Funding Request Nickname: 5 - AT&T WAN 10Gbps-1Gbps

Service Type: Data Transmission and/or Internet Access

What is the FRN number from the previous year ? 1699048732

Agreement Information - Contract

Contract Number	DESO WAN 15-18	Account Number	510 074 8509 509
User-entered Establishing FCC Form 470#	782620001257732	Service Provider	Southwestern Bell Telephone Company (SPN: 143004662)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	April 06, 2015	Based on a multiple award schedule?	No
How many bids were received for this contract?	1	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2016	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2018

Document Name	Document Description
DESO_Circuits contract_1518.pdf	

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative

Broadband Data Connections - Wide area network services for the district 13) 1 Gbps connections @ \$660.00 (2) 10 Gbps connections @ \$2700.50 ea. Municipal Right of Way fee - \$64.08, FUSF - \$2,432.69. 1 Gbps connection each at the following 1. 707 N Young Blvd,Desoto,TX 2. 1016 The Meadows Pkwy. Desoto, TX 3. 1001 Woodridge Dr,Desoto, TX 4. 601 E Belt Line Rd, Desoto, TX 5. 1500 Majestic Meadows Dr, Desoto, TX 6. 800 N Westmoreland Rd, Desoto, TX 7. 620 S Westmoreland Dr, Desoto, TX 8. 600 Eagle Dr, Desoto,TX 9. 200 E Belt Line Rd. Desoto, TX 10. 224 Amber Ln. Desoto,TX 11. 425 S Cockrell Hill, Desoto, TX 12. 1500 Heritage Blvd, Desoto,TX 13. 525 Ray Ave, Desoto, TX (2) 10 Gbps Connections @ 616 Eagle Dr, Desoto,TX

Line Item # 1799064868.001

Product and Service Details

Purpose

Function

Type of Connection

Bandwidth Speed

Data Connection between two or more sites entirely within the applicant's network

Fiber

Ethernet

Upload Speed

1.0 Gbps

Download Speed

1.0 Gbps

Connection Information

Does this include firewall services?

No

Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a "Wide area network")?

Yes

Is this a direct connection to a single school, library or a NIF for Internet access?

No

Cost Calculation for FRN Line Item # 1799064868.001

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$660.00	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$660.00	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 13	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$8,580.00	Total Eligible One-time Costs	= \$0.00
Months of Service	x 12	Summary	
Total Eligible Recurring Costs	= \$102,960.00	Total Eligible Recurring Costs	\$102,960.00
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$102,960.00

Recipients of Services

BEN	Name
85854	NORTHSIDE ELEMENTARY SCHOOL
85856	THE MEADOWS ELEMENTARY SCHOOL
85857	DESOTO WEST MIDDLE SCHOOL
85858	RUBY YOUNG ELEMENTARY SCHOOL
85859	DESOTO EAST MIDDLE SCHOOL
85860	COCKRELL HILL ELEMENTARY SCHOOL
85863	DESOTO HIGH SCHOOL
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY
85997	FRANK D MOATES ELEMENTARY SCHOOL
231510	WOODRIDGE ELEMENTARY SCHOOL
16042750	MCCOWAN MIDDLE SCHOOL
17006794	DESOTO WINGS
16067257	DESOTO ALTERNATIVE EDUCATION CENTER
17013020	Meadow Creek Tech Magnet Academy
85862	DESOTO BELT LINE INSTRUCTIONAL SUPPORT CENTER
17006830	DESOTO EDUCATION CENTER
17006831	DESOTO SERVICE CENTER at PARKERVILLE
17006832	DESOTO SPECIAL SERVICES HAMPTON RD
17006833	DESOTO DATA CENTER
17013019	De Soto Athletics Department
17013021	De Soto Multipurpose Building

Line Item # 1799064868.002

Product and Service Details

Purpose Data Connection between two or more sites entirely within the applicant’s network

Function Fiber

Type of Connection Ethernet

Bandwidth Speed

Upload Speed 10.0 Gbps Download Speed 10.0 Gbps

Connection Information

Does this include firewall services? No Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)? Yes

Is this a direct connection to a single school, library or a NIF for Internet access? No

Cost Calculation for FRN Line Item # 1799064868.002

Monthly Cost	
Monthly Recurring Unit Cost	\$2,700.50
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$2,700.50
Monthly Quantity	x 2
Total Monthly Eligible Recurring Costs	= \$5,401.00
Months of Service	x 12
Total Eligible Recurring Costs	= \$64,812.00

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$64,812.00
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$64,812.00

Recipients of Services

BEN	Name
85854	NORTHSIDE ELEMENTARY SCHOOL
85856	THE MEADOWS ELEMENTARY SCHOOL
85857	DESOTO WEST MIDDLE SCHOOL
85858	RUBY YOUNG ELEMENTARY SCHOOL
85859	DESOTO EAST MIDDLE SCHOOL
85860	COCKRELL HILL ELEMENTARY SCHOOL
85863	DESOTO HIGH SCHOOL
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY
85997	FRANK D MOATES ELEMENTARY SCHOOL
231510	WOODRIDGE ELEMENTARY SCHOOL
16042750	MCCOWAN MIDDLE SCHOOL
17006794	DESOTO WINGS
16067257	DESOTO ALTERNATIVE EDUCATION CENTER
17013020	Meadow Creek Tech Magnet Academy
85862	DESOTO BELT LINE INSTRUCTIONAL SUPPORT CENTER
17006830	DESOTO EDUCATION CENTER
17006831	DESOTO SERVICE CENTER at PARKERVILLE
17006832	DESOTO SPECIAL SERVICES HAMPTON RD
17006833	DESOTO DATA CENTER
17013019	De Soto Athletics Department
17013021	De Soto Multipurpose Building

Line Item # 1799064868.003

Product and Service Details

Purpose

Function

Type of Connection

Bandwidth Speed

Data Connection between two or more sites entirely within the applicant's network

Miscellaneous

Taxes and USF Fees

Upload Speed

1.0 Gbps

Download Speed

1.0 Gbps

Connection Information

Does this include firewall services?

No

Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a "Wide area network")?

Yes

Is this a direct connection to a single school, library or a NIF for Internet access?

No

Cost Calculation for FRN Line Item # 1799064868.003

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$2,496.77	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$2,496.77	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 1	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$2,496.77	Total Eligible One-time Costs	= \$0.00
Months of Service	x 12	Summary	
Total Eligible Recurring Costs	= \$29,961.24	Total Eligible Recurring Costs	\$29,961.24
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$29,961.24

Recipients of Services

BEN	Name
85854	NORTHSIDE ELEMENTARY SCHOOL
85856	THE MEADOWS ELEMENTARY SCHOOL
85857	DESOTO WEST MIDDLE SCHOOL
85858	RUBY YOUNG ELEMENTARY SCHOOL
85859	DESOTO EAST MIDDLE SCHOOL
85860	COCKRELL HILL ELEMENTARY SCHOOL
85863	DESOTO HIGH SCHOOL
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY
85997	FRANK D MOATES ELEMENTARY SCHOOL
231510	WOODRIDGE ELEMENTARY SCHOOL
16042750	MCCOWAN MIDDLE SCHOOL
17006794	DESOTO WINGS
16067257	DESOTO ALTERNATIVE EDUCATION CENTER
17013020	Meadow Creek Tech Magnet Academy
85862	DESOTO BELT LINE INSTRUCTIONAL SUPPORT CENTER
17006830	DESOTO EDUCATION CENTER
17006831	DESOTO SERVICE CENTER at PARKERVILLE
17006832	DESOTO SPECIAL SERVICES HAMPTON RD
17006833	DESOTO DATA CENTER
17013019	De Soto Athletics Department
17013021	De Soto Multipurpose Building

FRN Calculation for FRN #1799064868

Monthly Charges	
Total Monthly Recurring Charges	\$16,477.77
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$16,477.77
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$197,733.24

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$197,733.24
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$197,733.24
Discount Rate	80%
Funding Commitment Request	= \$158,186.59

Funding Request for FRN #1799065237

Funding Request Nickname: 11 - Conterra WAN 10 Gbps

Service Type: Data Transmission and/or Internet Access

Agreement Information - Contract

Contract Number	DESO Conterra WAN 10Gb 18-21	Account Number	Desoto 1209 WAN 10Gbps
Establishing FCC Form 470	170053962	Service Provider	Conterra Ultra Broadband, LLC (SPN: 143025700)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	April 27, 2017	Based on a multiple award schedule?	No
How many bids were received for this contract?	4	Includes Voluntary Extensions?	Yes
What is the service start date?	June 01, 2018	Remaining Voluntary Extensions	2
		Total Remaining Contract Length	60
		What is the date your contract expires for the current term of the contract?	June 30, 2021

Document Name	Document Description
c11.DESO Conterra WAN 10Gb 18-21.pdf	Desoto - Conterra - 10 Gbps WAN 18-21

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative 15 Circuits 10 Gbps @ \$1,299montheach RFP 17-007 Services planned to start June 1, 2018 One Month of service for FY2017-18. Contract term 36 months after all circuits turned over, accepted. Plus two (2) renewal terms of one (1) year each

Line Item # 1799065237.001

Product and Service Details

Purpose Data Connection between two or more sites entirely within the applicant’s network

Function Fiber

Type of Connection Ethernet

Bandwidth Speed

Upload Speed 10.0 Gbps Download Speed 10.0 Gbps

Connection Information

Does this include firewall services? Yes Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)? Yes

Is this a direct connection to a single school, library or a NIF for Internet access? No

Cost Calculation for FRN Line Item # 1799065237.001

Monthly Cost	
Monthly Recurring Unit Cost	\$1,299.00
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$1,299.00
Monthly Quantity	x 15
Total Monthly Eligible Recurring Costs	= \$19,485.00
Months of Service	x 1
Total Eligible Recurring Costs	= \$19,485.00

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 1
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$19,485.00
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$19,485.00

Recipients of Services

BEN	Name
85854	NORTHSIDE ELEMENTARY SCHOOL
85856	THE MEADOWS ELEMENTARY SCHOOL
85857	DESOTO WEST MIDDLE SCHOOL
85858	RUBY YOUNG ELEMENTARY SCHOOL
85859	DESOTO EAST MIDDLE SCHOOL
85860	COCKRELL HILL ELEMENTARY SCHOOL
85863	DESOTO HIGH SCHOOL
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17006833	DESOTO DATA CENTER
17013019	De Soto Athletics Department
17013021	De Soto Multipurpose Building

Line Item # 1799065237.002

Product and Service Details

Purpose	Internet access service that includes a connection from any applicant site directly to the Internet Service Provider		
Function	Miscellaneous		
Type of Connection	Taxes and USF Fees		
Bandwidth Speed			
Upload Speed	10.0 Gbps	Download Speed	10.0 Gbps

Connection Information

Does this include firewall services?	Yes	Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)?	Yes
Is this a direct connection to a single school, library or a NIF for Internet access?	No		

Cost Calculation for FRN Line Item # 1799065237.002

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$3,390.39	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$3,390.39	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 1	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$3,390.39	Total Eligible One-time Costs	= \$0.00
Months of Service	x 1	Summary	
Total Eligible Recurring Costs	= \$3,390.39	Total Eligible Recurring Costs	\$3,390.39
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$3,390.39

Recipients of Services

BEN	Name
85854	NORTHSIDE ELEMENTARY SCHOOL
85856	THE MEADOWS ELEMENTARY SCHOOL
85857	DESOTO WEST MIDDLE SCHOOL
85858	RUBY YOUNG ELEMENTARY SCHOOL
85859	DESOTO EAST MIDDLE SCHOOL
85860	COCKRELL HILL ELEMENTARY SCHOOL
85863	DESOTO HIGH SCHOOL
85864	AMBER TERRACE DISCOVERY & DESIGN EARLY CHILDHOOD ACADEMY
85997	FRANK D MOATES ELEMENTARY SCHOOL
231510	WOODRIDGE ELEMENTARY SCHOOL
16042750	MCCOWAN MIDDLE SCHOOL
17006794	DESOTO WINGS
16067257	DESOTO ALTERNATIVE EDUCATION CENTER
17013020	Meadow Creek Tech Magnet Academy
85862	DESOTO BELT LINE INSTRUCTIONAL SUPPORT CENTER
17006830	DESOTO EDUCATION CENTER
17006831	DESOTO SERVICE CENTER at PARKERVILLE
17006832	DESOTO SPECIAL SERVICES HAMPTON RD
17006833	DESOTO DATA CENTER
17013019	De Soto Athletics Department
17013021	De Soto Multipurpose Building

FRN Calculation for FRN #1799065237

Monthly Charges	
Total Monthly Recurring Charges	\$22,875.39
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$22,875.39
Total Number of Months of Service	x 1
Total Eligible Pre-Discount Recurring Charges	= \$22,875.39

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$22,875.39
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$22,875.39
Discount Rate	80%
Funding Commitment Request	= \$18,300.31

Authorized Person

Title:	Assistant Superintendent	Name:	Gabrielle Lemonier
Phone:	972-223-6666	Email:	gabrielle.lemonier@desotoisd.org
Address:	200 E BELT LINE RD DE SOTO TX 75115 - 5704	Employer:	Gabrielle Lemonier

Certified Timestamp 08-May-2017 08:31:26 EDT

EXHIBIT 3

EMAIL CORRESPONDENCE

Debi Sovereign

From: Kelley Boan <kboan@conterra.com>
Sent: Thursday, April 26, 2018 9:32 AM
To: Debi Sovereign
Cc: Kelley Boan; Steve Parry; Keith Stines; Van Snowdon
Subject: Start of service for DeSoto ISD on FRN 1799065237

Debi,

This email is to confirm that Conterra will not deliver services covered by the above-captioned FRN prior to 7/1/2018 due to the delays of which you are aware.

Please feel free to contact me if you require any further information regarding this item.

With best regards,

Kelley

Kelley Boan

Regulatory & Special Projects Manager



2101 Rexford Rd, Suite 200E Charlotte, NC 28211
704.936.1789 Office | 443.742.6379 Mobile | www.Conterra.com

This e-mail may contain information that is confidential or privileged. If you are not the intended recipient, do not read, copy or distribute the e-mail or any attachments. Instead, please notify the sender and delete the e-mail and any attachments. Thank you.

Debi Sovereign

From: cr.allsup.consulting@gmail.com
Sent: Monday, January 15, 2018 11:28 AM
To: Debi Sovereign
Subject: FW: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations
Attachments: DeSoto ISD -- ASE- ASENOD - Early Termination Fees .pdf

Importance: High

Debi,

Happy New Year! Hope yours has started well.

Please see the e-mail chain and attachment regarding the ATT circuits at DeSoto ISD. Based on this information, we would be pressing to have Conterra complete the new circuits for turn up in July and cancelling the ATT circuits the day after each respective MPP to eliminate all ETF charges.

Please let me know if you have any concerns/comments.

Thanks!

Chuck Allsup | Ph. 214.681.5444 | E-Mail. cr.allsup.consulting@gmail.com
CR-ALLSUP CONSULTING, LLC

From: DOANE, ELAINE M [mailto:ed1264@att.com]
Sent: Monday, January 8, 2018 1:55 PM
To: cr.allsup.consulting@gmail.com
Cc: rtorres@desotoisd.org; gabrielle.lemonier@desotoisd.org
Subject: RE: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations

Chuck,
Disconnect would need to be dated the next business day after the MPP date for it not to incur Early Termination Fees. The dates that I provided in the separate attachment are correct.
Elaine

From: cr.allsup.consulting@gmail.com [mailto:cr.allsup.consulting@gmail.com]
Sent: Monday, January 08, 2018 12:47 PM
To: DOANE, ELAINE M <ed1264@att.com>
Cc: rtorres@desotoisd.org; gabrielle.lemonier@desotoisd.org
Subject: RE: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations
Importance: High

Elaine,

Thank you for the quick reply. We understand the reply provided to indicate that as long as DeSoto ISD terminates each circuit as of the MPP date for the given circuit, that there will be no ETF fees.

DeSoto ISD understands that the following chart outlines the dates of the MPP for each circuit and that request for termination of each circuit as of 11:59 PM on each date will result in successful termination of the service and billing for the circuit and no ETF charges:

ASE	End of Minimum Payment Period (MPP)
14.KRFN.878330..SW	7/8/2018
14.KRFN.878331..SW	7/7/2018
14.KRFN.878332..SW	7/7/2018
14.KRFN.878333..SW	7/11/2018
14.KRFN.878334..SW	7/11/2018
14.KRFN.878351..SW	7/8/2018
14.KRFN.878352..SW	7/13/2018
14.KRFN.878353..SW	7/16/2018
14.KRFN.878354..SW	7/18/2018
14.KRFN.878355..SW	7/19/2018
14.KRFN.878356..SW	7/20/2018
14.KSFN.872249..SW	7/5/2018
14.KSFN.872250..SW	7/5/2018

Please confirm.

Thank you, very much!

Chuck Allsup | Ph. 214.681.5444 | E-Mail. cr.allsup.consulting@gmail.com
CR-ALLSUP CONSULTING, LLC

From: DOANE, ELAINE M [<mailto:ed1264@att.com>]
Sent: Monday, January 8, 2018 11:52 AM
To: cr.allsup.consulting@gmail.com
Cc: rtorres@desotoisd.org; gabrielle.lemonier@desotoisd.org
Subject: RE: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations

Hello Chuck,

The early termination fee on this service covers not only monthly service charges but also includes waived non-recurring charges and \$9200 per circuit for Customer Premises Support structure facilities.

Elaine

From: cr.allsup.consulting@gmail.com [<mailto:cr.allsup.consulting@gmail.com>]
Sent: Monday, January 08, 2018 9:45 AM
To: DOANE, ELAINE M <ed1264@att.com>
Cc: rtorres@desotoisd.org; gabrielle.lemonier@desotoisd.org

Subject: RE: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations

Importance: High

Elaine,

Good morning! I hope you all had a great holiday!

I need to speak with you in regard to this report. The report indicates that the end of the MPP for most of these circuits is in July of 2018 and the report that you provided earlier in the process, the inventory report, indicates that these circuits are all either \$660.00 per month or in the case of the 10 Gbps circuits, \$2,700 per month. Based on this information, I fail to understand why the ETF charges would be so high as the termination would be in the same month that the circuits are to expire.

Can you please provide an explanation ASAP today?

If you need to call, please feel free to do so.

Thank you!

Chuck Allsup | Ph. 214.681.5444 | E-Mail. cr.allsup.consulting@gmail.com
CR-ALLSUP CONSULTING, LLC

From: DOANE, ELAINE M [<mailto:ed1264@att.com>]

Sent: Friday, December 22, 2017 5:59 PM

To: 'Robert Torres' <rtorres@desotoisd.org>; 'cr.allsup.consulting@gmail.com' <cr.allsup.consulting@gmail.com>

Cc: 'Gabrielle Lemonier' <gabrielle.lemonier@desotoisd.org>; ADAMS, ROBERT L <ra6429@att.com>

Subject: DeSoto ISD - ASE - ASEoD - Early Termination Fee calculations

Mr. Torres,

Attached is the data you requested many weeks ago for budgetary numbers regarding early termination of the ASE and ASENoD contracts.

The Early termination fees provided are based on a disconnect date of 7/1/2018. The fees would change as that date changes.

To clarify, tracking number 11101788855772BW will be closed per the data provided here. There is not a pending disconnect request on file for these circuits, this was calculated for budget only at this time.

I apologize again for the length of time it took to review records and contracts to provide this information.

Season's Greetings,

Elaine